

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 11, 2008

DIVISION TWO

B199774 Shivers (Not for Publication)
v.
Perret et al.

The dismissal is affirmed. Perret and Go Lightly shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION FOUR

B190562 West Side Health Care District (Not for Publication)
v.
Hooper, Lundy & Bookman et al.

The judgment is modified to reduce the award of fees to \$80,962. In all other respects, the judgment is affirmed. The parties are to bear their own costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FOUR (continued)

B198855 Sutton (Not for Publication)

v.

Interinsurance Exchange of the Automobile Club of Southern California

The judgment is reversed and the cause remanded for further proceedings.
Appellant to have his costs on appeal.

Epstein, P.J.

We concur: Manella, J.
 Suzukawa, J.

B198157 Sheets (Not for Publication)

v.

Prince of Peace Lutheran Church

The judgment is affirmed. Respondent shall have its costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
 Suzukawa, J.

B205747 Cecilia C. (Not for Publication)

v.

Superior Court, Los Angeles County

The petition is granted. The trial court is directed to vacate its order made under section 366.22 and the order setting a hearing under section 366.26, and to conduct further proceedings under section 366.21, subdivision (e). The stay previously issued by this court is dissolved.

Epstein, P.J.

We concur: Manella, J.
 Suzukawa, J.

June 11, 2008 (Continued)

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B201100 People v. Duran
B203900 In re Dayondra D.; DCFS v. Daryll D.
B199562 People v. Kesshawn Nelson

Argument waived, cause submitted.

B207531 People v. DeHuff

Argument waived, submission deferred to July 8, 2008.

B197017 Melvin Billups
 v.
 Los Angeles County Metropolitan Transportation

Merits:
Argued by Frances Miller Campbell for appellant and by Carolyn Oill for respondent. Cause submitted.

B199073 Topa Insurance Company
 v.
 American Economy Insurance Co.,

Merits:
Argued by Mark W. Flory for appellant and by Lisa L. Pan for respondent. Cause submitted.

June 11, 2008 (Continued)

DIVISION FIVE (continued)

B197234 Chinese Yellow Pages Company
 v.
 Chinese Overseas Marketing Service Corporation et al.,

Merits:

Argued by Lewis Landau for appellant and by Hall R. Marston for
respondents. Cause submitted.

Court recessed.

Court reconvened at 10:58 a.m.

Present: Armstrong, Acting P.J., Acting PJ, Mosk, J., Kriegler, J. and D. Nolan, Deputy
Clerk.

Each of the following:

B197179 People v. Johnson
B201369 People v. Sepulveda-Arias
B204429 In re Roxanna B.; DCFS v. Leticia C.
B196965 People v. Parra
B198595 People v. Timothy J.
B199379 People v. Nesbitt

Argument waived, cause submitted.

Each of the following

B196603 Henry Avila v. Continental Airlines
B199066 Creatier Interactive

Continued to July 9, 2008

DIVISION FIVE (continued)

B199972 Luba Tomalveska
 v.
 Barton Properties, Inc.,

Merits:

Argued by Wilfred Joseph Killian for appellant and by Phillip G. Samovar for respondent. Cause submitted.

B197568 John Robert Hanson
 v.
 Leland D. Smith

Merits:

Argued by James W. Bates for appellant and by Eugene S. Alkana for respondent. Cause submitted.

Court adjourned.

B190127 Harsco Corporation
 v.
 Kiewit Pacific Company

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

B194534 Ramseyer & Kuhlman, et al.,
 v.
 Errol Daly

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 9:00 a.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J. and G. Bents, Senior Deputy Clerk.

B196741 Anacker v. Academy of Magical Arts

Ordered off calendar.

B198677 Kennedy v. City of Santa Barbara

Argument continued to July, 2008.

B202191 Luevanos
v.
Flores

Merits:

Argued by Richard L. Francis for appellant. Argument waived by respondent pursuant to Rule 8.220 (a)(2), CRC. Cause submitted.

B200139 LeSage
v.
LeSage

Merits:

Argued by Michael Thomas LeSage, appellant, appearing in propria persona and by John F. Hodges for respondents. Cause submitted.

DIVISION SIX (continued)

B199690 Marriage
 of
 Trevillian

Merits:

Argued by Valerie V. Flugge for appellant and by John A. Taylor for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B197248 McMillan
 v.
 Shadow Ridge At Oak Park Homeowners

Merits:

Argued by John Alan Schlaff for appellant and by Jack R. Reinholtz for respondent. Cause submitted.

Perren, J. left the bench.

Gilbert, P.J. returned to the bench.

B202141 Marriage
 of
 Schwing

Merits:

Argued by Jeffrey S. Graff for appellant and by Patrick G. Cherry for respondent. Cause submitted.

Court recessed.

June 11, 2008 (Continued)

DIVISION SIX (continued)

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B207334 Refugio A. v. Child Welfare Services

Merits:

Petitioner failed to appear and presentation previously waived by real party in interest. Cause submitted.

B196119 Bandana Trading Inc.

v.

Quality Infusion Care Inc.

Merits:

Argued by Mark Russell Yanis for appellant and by Roy E. Ogden for respondent. Cause submitted.

B196585 People

v.

Madden

Merits:

Argued by William J. Genego for appellant and by David F. Glassman, Deputy Attorney General, for respondent. Cause submitted.

B199122 People

v.

Endacott

Merits:

Argued by William J. Genego for appellant and by David F. Glassman, Deputy Attorney General, for respondent. Cause submitted.

DIVISION SIX (continued)

B202908 Scott
 v.
 Barte

Merits:

Argued by Malcolm Tator for appellant and by David J. Ozeran for respondents. Cause submitted.

Yegan, J. left the bench.

B200522 Hill
 v.
 Gunn

Merits:

Argued by Richard L. Francis for appellant and by Thomas E. Olson for respondent. Cause submitted.

B199518 Sauser

Collison v.

Merits:

Argued by John F. Hodges for appellants; by Jack L. Collison respondent appearing in propria persona; and by Kathleen Crabtree for respondents Joseph Muscio et al. Submission is deferred two weeks.

Yegan, J. returned to the bench.

Gilbert, P.J. left the bench.

DIVISION SIX (continued)

B198228 Greenelsh
 v.
 Johnson

Merits:

Argued by Sandra Waite for appellant and by J.K. George for respondent.
Cause submitted.

B204454 Radke
 v.
 City of Goleta

Merits:

Argued by Reed Radke, appellant, appearing in propria persona and by
Brian A. Pierik for respondents. Cause submitted.

Court adjourned.

B203089 Holtemann
 v.
 Holtemann

Filed order granting petition for rehearing.

B201673 The People
 v.
 Ross

Filed order modifying the opinion and denying respondent's petition for re
hearing. (No change in Judgment)

DIVISION SEVEN

B188863 Los Angeles County, D.C.S. (Not for Publication)

v.

Marcus M.,

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.

Woods, J.

B200553 Casillas (Not for Publication)

v.

Westhaven, LLC,

The judgment is affirmed. Westhaven is to recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.

Woods, J.

B203415 Marina Glencoe LP

v.

Malibu Escrow Corporation

B204530 Marina Glencoe LP

v.

Malibu Escrow Corporation

Filed order consolidating above captioned appeals. All documents and orders in B204530 are refiled under B203415.

June 11, 2008 (Continued)

DIVISION EIGHT

B203673 People (Not for Publication)
v.
William B. Fausto

The order revoking probation is affirmed.

Bigelow, J.,

We concur: Rubin, Acting P.J.
Flier, J.

B191249 Paula Letherblaire, as Special Representative, etc. (Not for Publication)
v.
Union Oil Company of California et al.,
Estate of Odessa Marie Howard, Deceased.

For the reasons set forth above, the order dismissing appellants' section 850 petition is affirmed. Respondents to recover their appellate costs.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

B200464 People (Not for Publication)
v.
Jose Gaspar Lombera

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.

DIVISION EIGHT (continued)

B192495 Charles Sheen et al.,
 v.
 Dolores Q. Sheen et al.,
 Estate of Qunilock King Sheen, Deceased.

Filed order denying petition for rehearing.

B198323 Anthony Michael Glassman
 v.
 Valerie Theresa Glassman

Filed order granting petition for rehearing.